

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

MOONGATE WATER CO., INC.,
a New Mexico Public Utility,

Plaintiff,

vs.

No. CIV 00-0063 JC/LCS

BUTTERFIELD PARK MUTUAL DOMESTIC
WATER ASSOCIATION, a/k/a BUTTERFIELD PARK
MUTUAL DOMESTIC WATER CONSUMERS AND
MUTUAL SEWAGE WORKS ASSOCIATION,

Defendant.

MEMORANDUM OPINION AND ORDER

THIS MATTER came on for consideration of Motion to File Injunction for Injunctive Relief, filed November 2, 2000 (*Doc. 32*), by Fran C. Hutson. Ms. Hutson is not a party to this case--a dispute between two water companies regarding which company is permitted by law to service her property. On October 25, 2000, by Memorandum Opinion and Order (*Doc. 31*), this Court ordered Plaintiff Moongate to terminate water sales to 9165 Berry Patch Lane. Ms. Hutson, in disagreement with the Court, filed the present motion. The motion seeks to prevent Moongate from terminating her water service. The motion also cites alleged violations of her civil rights by Defendant Butterfield.

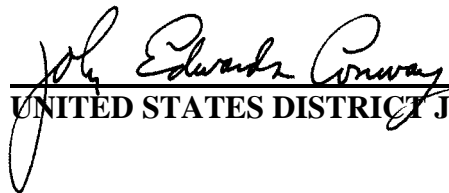
Ms. Hutson's motion does not set forth adequate grounds for reconsideration of the Court's Order. Also, Ms. Hutson's status as owner of the property in question does not entitle her to assert a cause of action in this case. Therefore, for the reasons stated in the Court's Memorandum Opinion and Order of October 25, 2000 (*Doc. 31*), the Court's decision will stand and Ms. Hutson's

motion will be stricken. However, Ms. Hutson is not restrained from pursuing proper legal channels for her claims.

Wherefore,

IT IS HEREBY ORDERED that the Motion to File Injunction for Injunctive Relief, filed November 2, 2000 (*Doc. 32*), is **stricken**.

DATED this 8th day of November, 2000.


UNITED STATES DISTRICT JUDGE